

**REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action mailed December 23, 2008. Claims 1-27 are currently pending. Applicants have amended claims 1, 13, 16, and 17.

Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

**I. Rejection under §101**

Claims 1-12 and 16-27 were rejected under 35 U.S.C. §101 because the claimed invention is directed to nonstatutory subject matter (Office Action, p. 2). Claims 1-12 and 16-27 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter for reciting a process that does not satisfy the requirement of 35 U.S.C. §101, which requires that a claimed process either: (1) be tied to another statutory class of invention, such as a particular apparatus, or (2) transform underlying subject matter, such as an article or materials. Solely in order to expedite prosecution, and without conceding to the merits of the rejection of the claims as previously presented, Applicants have amended claims 1 and 16.

Applicants have amended claim 1 to recite, a “computer implemented method for matching a remittance to a transaction, the method being executed by one or more computer systems.” Applicants submit that the computer-implemented method recited in claim 1 is tied to a statutory class of invention, a computer system. Applicants have amended Applicants’ claim 1 to affirmatively recite that the acts are all performed by “one or more computer systems.”

Applicants have amended claim 16 to recite, in part, a “computer usable medium having stored therein a computer readable program code that, when executed, causes a computer system to execute a method of matching a remittance to a transaction, the program code including instructions that cause a processor of the computer system to perform the following tasks.” According to MPEP 2106.01:

When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)(discussing

patentable weight of data structure limitations in the context of a statutory claim to a data structure stored on a computer readable medium that increases computer efficiency)

MPEP 2106.01. The computer usable medium recited in claim 16 includes computer readable program code that permits the function of the program code to be realized by causing the computer system to execute a method of matching a remittance to a transaction.

For at least the reasons provided, claims 1 and 16 are statutory subject matter. Claims 2-12 which depend from claim 1, and claims 17-27, which depend from claim 16 are also in condition for allowance at least due to their dependence from claim 1 and 16 respectively.

Accordingly, withdrawal of the rejection of claims 1-12 and 16-27 is respectfully requested.

## **II. Rejection under 35 USC § 103, Randell in view of Lam**

Claims 1-3, 5, 12-14, 16-18, 20 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Randell et al. (U.S. Publication 2004/0064375) (hereinafter “Randell”) in view of Lam et al. (U.S. Publication 2003/002858) (hereinafter “Lam”).

Solely in order to expedite prosecution and without conceding to the merits of the rejections of the claims as previously presented, Applicants have amended independent claims 1, 13, and 16, and Applicants submit that even if Randell and Lam could be combined as suggested in the Office Action, the combination fails to teach or suggest all of the features recited in Applicants’ claims 1, 13, and 16. For example, claim 1 recites, in part “accessing remittance lines, transaction information, and a matching rule that assigns a weight to a plurality of parameters considered in said matching, wherein the matching rule organizes the parameters into a tree structure according to significance of each of the parameters.” Applicants submit that neither Randell or Lam teach or even suggest these features.

The Office Action relies on Lam (paragraphs 0026-0028, 0098, and 0102) to teach “a matching rule that assigns a weight to a plurality of parameters considered in said matching” as recited in Applicants’ claim 1. But, Lam does not teach or even suggest that “the matching rule organizes the parameters into a tree structure according to significance of each of the parameters” as recited in claim 1. Lam merely describes applying different weights to

different attributes when matching a remittance record to payer information in a global payer directory (see Lam, paragraph 0098), and that “fuzzy attributed weight based matching” may be used to match existing vendor names and addresses from an accounts payable system with self enrolled vendor information in the global directory (see Lam, paragraph 01028). None of the cited portions of Lam teach or even suggest that matching rules where parameters are organized into a hierarchical tree structure as recited in claim 1, nor were Applicants able to identify any such teachings anywhere else in the disclosure of Lam. Randell does not remedy the deficiencies of Lam.

For at least the reasons provided, the combination of Randell and Lam does not render Applicants’ claim 1 obvious. Independent claims 13 and 16 should also be in condition for allowance for similar reasons as claim 1. Claims 2, 3, 5, and 12 depend from claim 1, claims 14 and 15 depend from claim 13, and claims 17, 18, 20 and 27 depend from claim 16, and claims 2, 3, 5, 12, 14, 15, 17, 18, 20 and 27 are also in condition for allowance at least due to their dependence from claims 1, 13, and 16, respectively.

Accordingly, withdrawal of the rejection of claims 1-3, 5, 12-14, 16-18, 20 and 27 is respectfully requested.

### **III. Rejection under 35 USC § 103, Randell in view of Lam and in further view of Koller**

Claims 4 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Randell in view of Lam and further in view of Koller et al. (U.S. Publication 2002/0103793) (hereinafter “Koller”).

Claim 4 depends from claim 1, and claim 19 depends from claim 16, and the rejection of claims 1 and 16 is premised on the assertion that Randell and Lam disclose or suggest the features recited in claims 1 and 16 and Koller discloses or suggests the remaining features of claims 4 and 19. As discussed above, however, Randell and Lam do not disclose or suggest all features recited in claim 1. As best understood, Koller provides no teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained.

Accordingly, withdrawal of the rejection of claims 4 and 19 is respectfully requested.

**IV. Rejection under 35 USC § 103, Randell in view of Lam and in further view of Sanders**

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Randell in view of Lam and further in view of Sanders et al. (U.S. Publication 2003/0158111) (hereinafter “Sanders”).

Claim 5 depends from claim 1, and the rejection of claim 1 is premised on the assertion that Randell and Lam disclose or suggest the features recited in claim 1 and Sanders discloses or suggests the remaining features of claim 5. As discussed above, however, Randell and Lam do not disclose or suggest all features recited in claim 1. As best understood, Sanders provides no teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained.

Accordingly, withdrawal of the rejection of claim 5 is respectfully requested.

**V. Rejection under 35 USC § 103, Randell in view of Lam and in further view of Anglum, Templeton, and Harper**

Claims 6, 9, 15, 21, and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Randell in view of Lam and further in view of Anglum (U.S. Publication 2003/0065595) (hereinafter “Anglum”), Templeton et al. (U.S. Patent 5,679,940) (hereinafter “Templeton”), and Harper (U.S. Publication 2003/0212654) (hereinafter “Harper”).

Claims 6 and 9 depend from claim 1, claim 15 depends from claim 13, and claim 21 and 24 depend from claim 16, and the rejection of claims 6, 9, 15, 21, and 24 is premised on the assertion that Randell and Lam disclose or suggest the features recited in claims 1, 13, and 16 and Anglum, Templeton, and Harper disclose or suggest the remaining features of claims 6, 9, 15, 21, and 24. As discussed above, however, Randell and Lam do not disclose or suggest all features recited in claims 1, 13, and 16. As best understood, Anglum, Templeton, and Harper provide no teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained.

Accordingly, withdrawal of the rejection of claims 6, 9, 15, 21, and 24 is respectfully requested.

**VI. Rejection under 35 USC § 103, Randell in view of Lam and in further view of Kilpatrick**

Claims 7 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Randell in view of Lam and further in view of Kilpatrick et al. (U.S. Patent 6,742,124) (hereinafter "Kilpatrick").

Claims 7 and 8 depends from claim 1, and the rejection of claim 1 is premised on the assertion that Randell and Lam disclose or suggest the features recited in claim 1 and Kilpatrick discloses or suggests the remaining features of claims 7 and 8. As discussed above, however, Randell and Lam do not disclose or suggest all features recited in claim 1. As best understood, Kilpatrick provides no teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained.

Accordingly, withdrawal of the rejection of claims 7 and 8 is respectfully requested.

**VII. Rejection under 35 USC § 103, Randell in view of Lam, Anglum, Templeton, Harper, and further in view of Hey, Shurling, and Falcone**

Claims 10 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Randell in view of Lam, Anglum, Templeton, Harper, and further in view of Hey et al. (U.S. Publication 2004/0208907) (hereinafter "Hey"), Shurling et al. (U.S. Patent 6,424,951) (hereinafter "Shurling"), and Falcone et al. (U.S. Publication "2002/0194096) (hereinafter "Falcone").

Claims 10 depends from claim 6 and claim 25 depends from claim 21, and the rejection of claims 10 and 16 is premised on the assertion that Randell, Lam, Anglum, Templeton, and Harper disclose or suggest the features recited in claims 1 and 16 and Hey and Shurling disclose or suggest the remaining features of claims 10 and 25. As discussed above, however, Randell, Lam, Anglum, Templeton, and Harper do not disclose or suggest all features recited in claims 6 and 21. As best understood, Anglum, Templeton, and Harper provide no

teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained.

Accordingly, withdrawal of the rejection of claims 10 and 25 is respectfully requested.

**VIII. Rejection under 35 USC § 103, Randell in view of Lam, Anglum, Templeton, Harper, Hey, Shurling, Falcone, and further in view of Cuthbertson**

Claims 11 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Randell in view of Lam, Anglum, Templeton, Harper, Hey, Shurling, Falcone, and further in view of Cuthbertson et al. (U.S. Patent 5,724,597) (hereinafter "Cuthbertson").

Claims 11 depends from claim 10 and claim 26 depends from claim 25, and the rejection of claims 10 and 16 is premised on the assertion that Randell, Lam, Anglum, Templeton, Harper, Hey, and Shurling disclose or suggest the features recited in claims 10 and 26 and Cuthbertson discloses or suggests the remaining features of claims 11 and 26. As discussed above, however, Randell, Lam, Anglum, Templeton, Harper, Hey, and Shurlin do not disclose or suggest all features recited in claims 10 and 25. As best understood, Cuthbertson provides no teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained.

Accordingly, withdrawal of the rejection of claims 11 and 26 is respectfully requested.

**IX. Rejection under 35 USC § 103, Randell in view of Lam and further in view of Rahn**

Claims 12 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Randell in view of Lam and further in view of Rahn et al. (U.S. Publication 2004/0054685) (hereinafter "Rahn").

Claims 12 depends from claim 1 and claim 14 depends from claim 13, and the rejection of claims 12 and 14 is premised on the assertion that Randell and Lam disclose or suggest the features recited in claims 1 and 13 and Rahn discloses or suggests the remaining features of claims 12 and 14. As discussed above, however, Randell and Lam do not disclose or

suggest all features recited in claims 1 and 13. As best understood, Rahn provides no teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained.

Accordingly, withdrawal of the rejection of claims 12 and 14 is respectfully requested.

**X. Rejection under 35 USC § 103, Randell in view of Lam, Templeton, Harper and further in view of Kilpatrick**

Claims 22 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Randell in view of Lam, Templeton, Harper, and further in view of Kilpatrick.

Claims 22 and 23 depend from claim 21, and the rejection of claims 22 and 23 is premised on the assertion that Randell, Lam, Anglum, Templeton, and Harper discloses or suggests the features recited in claim 21 and Kilpatrick discloses or suggests the remaining features of claims 22 and 23. As discussed above, however, Randell, Lam, Anglum, Templeton, and Harper does not disclose or suggest all features recited in claim 21. As best understood, Kilpatrick provides no teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained.

Accordingly, withdrawal of the rejection of claims 22 and 23 is respectfully requested.

**XI. Amendment to the Claims**

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter.

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Amdt. dated March 20, 2009  
Reply to Office Action of December 23, 2008

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**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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